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January 14, 2002

Max Dodson
Assistant Regional Administrator
Office of Ecosystem Protection and Remediation
U.S. Environmental Protection Agency
999 18th Street, Suite 300
Denver, CO 80202



RE: Listing of the Libby Asbestos Site

Dear Mr. Dodson:

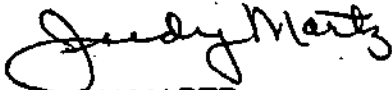
Thank you for your letter of December 6, 2001, requesting my support for the addition of the Libby Asbestos Site in Montana to the National Priority List (NPL). I share your interest in cleaning up contamination associated with past W.R. Grace mining activities. I also share your concern that the community be protected from the effects of exposure, and I appreciate the efforts EPA has taken to date to address the contamination. We must do all we can to protect community health.

The Libby Asbestos Site presents the greatest danger to public health or welfare or the environment of the known superfund facilities in Montana. The form of asbestos in the vermiculite has resulted in disease tied to W. R. Grace's mining activities in Lincoln County. Therefore, I am hereby designating the site as the highest priority release site in Montana and request that the site be placed on the National Priorities List (NPL) as soon as possible. This designation is made in accordance with Section 105 of CERCLA and Section 300.425(-)(2) of the National Contingency Plan. Enclosed with this letter is documentation supporting Montana's designation of this site as the highest priority release in Montana. These documents should be included in the rule-making docket for the proposed listing.

Max Dodson
January 14, 2002
Page 2

Thank you for giving me the opportunity to speak for the citizens of Montana on this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Judy Martz". The signature is fluid and cursive, with the first name "Judy" and last name "Martz" clearly distinguishable.

JUDY MARTZ
Governor

Enclosures

Cc: Jan Sensibaugh
Gail Gray
Senator Max Baucus
Senator Conrad Burns
Congressman Dennis Rehberg
Lincoln County Commissioners
Mayor Tony Berget
Libby City Commission
Community Advisory Group

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



NATIONAL PRIORITIES LIST (NPL)

February 2002

OSWER/OERR

State, Tribal, and Site Identification Center

Washington, DC 20460

LIBBY ASBESTOS
Libby, Montana

The Libby Asbestos site includes an inactive vermiculite mine located on Vermiculite Mountain in northwestern Montana, and portions of the town of Libby. The mine is approximately seven miles east northeast of the town. Although mining of Vermiculite Mountain dates back to the 1890s, large-scale mining was initiated by the Zonolite Company in the 1920s. W.R. Grace acquired the Zonolite Company in 1963 and continued mining operations until September 1990. The vermiculite mine has been operating under Montana Department of State Lands Operating Permit 00010 since 1972, under a State-approved reclamation plan. Of approximately 1200 acres of patented mining claims, 865 are known to be disturbed by mining activities.

The ore body from which the vermiculite ore was mined contains significant occurrences of amphibole asbestos. Processing of the vermiculite ore, with amphibole asbestos intermixed, caused high dust and airborne releases of fine asbestos fibers. These fine asbestiform fibers have been linked by the Agency for Toxic Substances and Disease Registry (ATSDR) to certain kinds of lung disease and abnormalities. Amphibole asbestos contamination associated with the ore processing has been found in processing plants, residential yards, and school yards in the town of Libby and between the mine and the town.

Residences, schools, and businesses received vermiculite free of charge from W.R. Grace. On residences, vermiculite was used in gardens and for fill in other parts of residential properties. Some school areas, such as running tracks and football fields utilized vermiculite as fill. EPA's Removal Program has sampled many of these areas and has conducted removal actions at most, if not all, schools and at some residences and businesses. Many residences and businesses still have substantial quantities of asbestiform fibers that may pose a threat to the inhabitants or workers. EPA is conducting on-going emergency removal actions to address asbestos contamination in yards, schools, and other processing areas in town.

In 1971, W.R. Grace constructed a 70-acre vermiculite tailings impoundment to provide for settlement of fine tailings slurries. The dam for the impoundment was constructed in stages and by 1980, it was approximately 135 feet from base to top. The impoundment was constructed in the natural drainage of Rainy and Fleetwood creeks. Since fall 1990, the tailings impoundment has not actively received fine tailings, but small amounts of tailings from the adjacent coarse tailings disposal area continue to enter the impoundment through natural erosion.

The Kootenai River, a tributary of the Columbia River, receives water from Rainy Creek approximately 2.5 miles downstream of the tailings impoundment. Rainy and Fleetwood creeks converge just upstream of the tailings impoundment. Extensive wetlands have emerged in and around the tailings pond. Rainy Creek appears to flow perennially at its confluence with Fleetwood Creek, just above the tailings impoundment. Rainy Creek was historically a fishery (including the tailings pond) until the property was closed due to contamination. In addition, there is a known bald eagle nest in the vicinity of Rainy Creek. Wetlands are prevalent within the tailings impoundment and along Rainy and Fleetwood creeks. Chromium, copper, and nickel were detected in sediments from a tailings impoundment.

Montana has designated this site as its highest priority site pursuant to CERCLA section 105(a)(8)(B) and section 300.425 (c)(2) of the NCP.

[The description of the site (release) is based on information available at the time the site was proposed to the NPL. The description may change as additional information is gathered on the sources and extent of contamination. See 56 FR 5600, February 11, 1991, or subsequent FR notices.]

For more information about the hazardous substances identified in this narrative summary, including general information regarding the effects of exposure to these substances on human health, please see the Agency for Toxic Substances and Disease Registry (ATSDR) ToxFAQs. ATSDR ToxFAQs can be found on the Internet at <http://www.atsdr.cdc.gov/toxfaq.html> or by telephone at 1-888-42-ATSDR or 1-888-422-8737.